

## **603 KAR 4:055. Scenic highways and byways.**

RELATES TO: 177.571, 177.572, 177.573, 177.574, 177.575, 177.576

STATUTORY AUTHORITY: 177.573

NECESSITY, FUNCTION, AND CONFORMITY: KRS 177.573 requires the Transportation Cabinet to prescribe by administrative regulation, criteria for scenic highways and byways designation and a process for the nomination, review, designation and removal of a road as a scenic highway and byway.

Section 1. "Kentucky Scenic Highways and Byways Guidelines and Application" Form TC 52-200 shall govern the Transportation Cabinet's Scenic Highways and Byways Program.

Section 2. Removal of Scenic Highway and Byway Designation. (1) When the Transportation Cabinet is notified that a road or road segment meets the criteria required to remain in the system, the Transportation Cabinet shall research the claim and make a determination on the removal of the scenic designation.

(2) The Transportation Cabinet shall notify interested individuals of the decision.

(3) Appeal procedures.

(a)1. A party aggrieved by the action of the Transportation Cabinet pursuant to the provisions of this administrative regulation within twenty (20) days of the date of the action may file a written appeal with the Transportation Tourism Interagency Committee.

2. The appeal shall set forth in detail, the nature of the complaint and the grounds for the appeal.

(b) The appeal shall be placed on the agenda for the next Transportation Tourism Interagency Committee (TTIC) meeting. The Transportation Tourism Interagency Committee shall issue a recommendation on the appeal within sixty (60) days to the Secretary of Transportation.

(4) The Secretary of Transportation shall issue a decision on the appeal within ten (10) days.

Section 3. Incorporation by Reference. (1) "Scenic Highways and Byways Guidelines and Application" TC 52-200, (2/99 Edition), Transportation Cabinet, is incorporated by reference.

(2) It may be inspected, copied, or obtained at Transportation Cabinet, Department of Highways, Division of Transportation Planning, 501 High Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. to 4:30 p.m. (25 Ky.R. 1767; Am. 2420; 2888; eff. 6-1-99.)